

or she or a specific class of individuals has been subjected to discrimination on the basis of disability by a public entity may, by himself or herself or by an authorized representative, easily file a complaint with the Department. Not later than 1 year after the date of enactment of this Act, the Secretary shall implement procedures that allow an individual to submit a complaint described in the previous sentence by phone, by mail-in form, and online through the website of the Office of Civil Rights of the Federal Transit Administration.

(2) NOTICE TO INDIVIDUALS WITH DISABILITIES.—Not later than 18 months after the date of enactment of this Act, the Secretary shall require that each public transit provider and contractor providing paratransit services shall include on a publicly available website of the service provider, any related mobile device application, and online service—

(A) the telephone number, or a comparable electronic means of communication, for the disability assistance hotline of the Office of Civil Rights of the Federal Transit Administration;

(B) notice that a consumer can file a disability-related complaint with the Office of Civil Rights of the Federal Transit Administration;

(C) an active link to the website of the Office of Civil Rights of the Federal Transit Administration for an individual to file a disability-related complaint; and

(D) notice that an individual can file a disability-related complaint with the local transit agency and the process and any timelines for filing such a complaint.

(3) INVESTIGATION OF COMPLAINTS.—Not later than 60 days after the last day of each fiscal year the Secretary shall publish a report that lists the disposition of complaints described in paragraph (1), including—

(A) the number and type of complaints filed with Department;

(B) the number of complaints investigated by the Department;

(C) the result of the complaints that were investigated by the Department including whether the complaint was resolved—

(i) informally;

(ii) by issuing a violation through a non-compliance Letter of Findings; or

(iii) by other means, which shall be described in detail; and

(D) if a violation was issued for a complaint, whether the Department resolved the noncompliance by—

(i) reaching a voluntary compliance agreement with the entity;

(ii) referring the matter to the Attorney General; or

(iii) by other means, which shall be described in detail.

(4) REPORT.—Upon implementation of this subsection, the Secretary shall, to the extent practicable, issue a report composed of the information collected under this subsection for the preceding 5 years.

(d) ACCESSIBILITY DATA PILOT PROGRAM.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish an accessibility data pilot program.

(2) PURPOSE.—In carrying out the pilot program, the Secretary shall develop or procure an accessibility data set and make that data set available to each eligible entity selected to participate in the pilot program to improve the transportation planning of such eligible entities by—

(A) measuring the level of access by multiple transportation modes, including transportation network companies, to important destinations, which may include—

(i) jobs, including areas with a concentration of available jobs;

(ii) health care facilities;

(iii) child care services;

(iv) educational and workforce training facilities;

(v) affordable housing;

(vi) food sources; and

(vii) connections between modes, including connections to—

(I) high-quality transit or rail service;

(II) safe bicycling corridors; and

(III) safe sidewalks that achieve compliance with applicable requirements of the ADA;

(B) disaggregating the level of access by multiple transportation modes by a variety of population categories, which shall include—

(i) low-income populations;

(ii) minority populations;

(iii) age;

(iv) disability such as sensory, cognitive, and physical, including wheelchair users; and

(v) geographical location; and

(C) assessing the change in accessibility that would result from new transportation investments.

(3) ELIGIBLE ENTITIES.—An entity eligible to participate in the pilot program is—

(A) a State;

(B) a metropolitan planning organization; or

(C) a rural transportation planning organization.

(4) APPLICATION.—To be eligible to participate in the pilot program, an entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including information relating to—

(A) previous experience of the eligible entity measuring transportation access or other performance management experience;

(B) the types of important destinations to which the eligible entity intends to measure access;

(C) the types of data disaggregation the eligible entity intends to pursue;

(D) a general description of the methodology the eligible entity intends to apply; and

(E) if the applicant does not intend the pilot program to apply to the full area under the jurisdiction of the applicant, a description of the geographic area in which the applicant intends the pilot program to apply.

(5) SELECTION.—

(A) IN GENERAL.—The Secretary shall seek to achieve diversity of participants in the pilot program by selecting a range of eligible entities that shall include—

(i) States;

(ii) metropolitan planning organizations that serve an area with a population of 200,000 people or fewer;

(iii) metropolitan planning organizations that serve an area with a population of over 200,000 people; and

(iv) rural transportation planning organizations.

(B) INCLUSIONS.—The Secretary shall seek to ensure that, among the eligible entities selected under subparagraph (A) program participants represent—

(i) a range of capacity and previous experience with measuring transportation access; and

(ii) a variety of proposed methodologies and focus areas for measuring level of access.

(6) DUTIES.—For each eligible entity participating in the pilot program, the Secretary shall—

(A) develop or acquire an accessibility data set described in paragraph (2); and

(B) submit the data set to the eligible entity.

(7) METHODOLOGY.—In calculating the measures for the data set under the pilot

program, the Secretary shall ensure that methodology is open source.

(8) AVAILABILITY.—The Secretary shall make an accessibility data set under the pilot program available to—

(A) units of local government within the jurisdiction of the eligible entity participating in the pilot program; and

(B) researchers.

(9) REPORT.—Not later than 120 days after the last date on which the Secretary submits data sets to the eligible entity under paragraph (6), the Secretary shall submit to Congress a report on the results of the program, including the feasibility of developing and providing periodic accessibility data sets for all States, regions, and localities.

(10) FUNDING.—The Secretary shall carry out the pilot program using amounts made available to the Secretary for administrative expenses to carry out programs under the authority of the Secretary.

(11) SUNSET.—The pilot program shall terminate on the date that is 8 years after the date on which the pilot program is implemented.

(e) DEFINITIONS.—In this section:

(1) ADA.—The term “ADA” means the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(2) DEPARTMENT.—The term “Department” means the Department of Transportation.

(3) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

(4) STATE.—The term “State” means each of the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

(5) TRANSPORTATION NETWORK COMPANY.—The term “transportation network company”—

(A) means a corporation, partnership, sole proprietorship, or other entity, that uses an online-enabled application or digital network to connect riders to drivers affiliated with the entity in order for the driver to transport the rider using a vehicle owned, leased, or otherwise authorized for use by the driver to a point chosen by the rider; and

(B) does not include a shared-expense carpool or vanpool arrangement that is not intended to generate profit for the driver.

SA 2218. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____ DISCLOSURE BY PROFESSIONAL PERSONS SEEKING APPROVAL OF COMPENSATION UNDER SECTION 316 OR 317 OF PROMESA.

(a) REQUIRED DISCLOSURE.—

(1) IN GENERAL.—In a voluntary case commenced under section 304 of PROMESA (48 U.S.C. 2164), no attorney, accountant, appraiser, auctioneer, agent, consultant, or other professional person may be compensated under section 316 or 317 of that Act (48 U.S.C. 2176, 2177) unless prior to making a request for compensation, the professional person has submitted a verified statement conforming to the disclosure requirements of rule 2014(a) of the Federal Rules of Bankruptcy Procedure setting forth the connection of the professional person with—

(A) the debtor;
 (B) any creditor;
 (C) any other party in interest, including any attorney or accountant;
 (D) the Financial Oversight and Management Board established in accordance with section 101 of PROMESA (48 U.S.C. 2121); and
 (E) any person employed by the Oversight Board described in subparagraph (D).

(2) OTHER REQUIREMENTS.—A professional person that submits a statement under paragraph (1) shall—

(A) supplement the statement with any additional relevant information that becomes known to the person; and

(B) file annually a notice confirming the accuracy of the statement.

(b) REVIEW.—

(1) IN GENERAL.—The United States Trustee shall review each verified statement submitted pursuant to subsection (a) and may file with the court comments on such verified statements before the professionals filing such statements seek compensation under section 316 or 317 of PROMESA (48 U.S.C. 2176, 2177).

(2) OBJECTION.—The United States Trustee may object to compensation applications filed under section 316 or 317 of PROMESA (48 U.S.C. 2176, 2177) that fail to satisfy the requirements of subsection (e).

(3) RIGHT TO BE HEARD.—Each person described in section 1109 of title 11, United States Code, may appear and be heard on any issue in a case under this section.

(c) JURISDICTION.—The district courts of the United States shall have jurisdiction of all cases under this section.

(d) RETROACTIVITY.—

(1) IN GENERAL.—If a court has entered an order approving compensation under a case commenced under section 304 of PROMESA (48 U.S.C. 2164), each professional person subject to the order shall file a verified statement in accordance with subsection (a) not later than 60 days after the date of enactment of this Act.

(2) NO DELAY.—A court may not delay any proceeding in connection with a case commenced under section 304 of PROMESA (48 U.S.C. 2164) pending the filing of a verified statement under paragraph (1).

(e) LIMITATION ON COMPENSATION.—

(1) IN GENERAL.—In a voluntary case commenced under section 304 of PROMESA (48 U.S.C. 2164), in connection with the review and approval of professional compensation under section 316 or 317 of PROMESA (48 U.S.C. 2176, 2177), the court may deny allowance of compensation for services and reimbursement of expenses, accruing after the date of the enactment of this Act of a professional person if the professional person—

(A) has failed to file statements of connections required by subsection (a) or has filed inadequate statements of connections;

(B) except as provided in paragraph (3), is on or after the date of enactment of this Act not a disinterested person, as defined in section 101 of title 11, United States Code; or

(C) except as provided in paragraph (3), represents, or holds an interest adverse to, the interest of the estate with respect to the matter on which such professional person is employed.

(2) CONSIDERATIONS.—In making a determination under paragraph (1), the court may take into consideration whether the services and expenses are in the best interests of creditors and the estate.

(3) COMMITTEE PROFESSIONAL STANDARDS.—An attorney or accountant described in section 1103(b) of title 11, United States Code, shall be deemed to have violated paragraph (1) if the attorney or accountant violates section 1103(b) of title 11, United States Code.

SA 2219. Mr. MENENDEZ (for himself, Mr. KENNEDY and Mrs. HYDE-SMITH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . CAP ON ANNUAL PREMIUM INCREASES.

(a) DEFINITIONS.—In this section—

(1) the term “Administrator” means the Administrator of the Federal Emergency Management Agency; and

(2) the term “covered cost”—

(A) means—

(i) the amount of an annual premium with respect to any policy for flood insurance under the National Flood Insurance Program;

(ii) any surcharge imposed with respect to a policy described in clause (i) (other than a surcharge imposed under section 1304(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b))), including a surcharge imposed under section 1308A(a) of that Act (42 U.S.C. 4015a(a)); and

(iii) a fee described in paragraph (1)(B)(iii) or (2) of section 1307(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(a)); and

(B) does not include any cost associated with the purchase of insurance under section 1304(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)), including any surcharge that relates to insurance purchased under such section 1304(b).

(b) LIMITATION ON INCREASES.—

(1) LIMITATION.—

(A) IN GENERAL.—During the 5-year period beginning on the date of enactment of this Act, notwithstanding section 1308(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)), and subject to subparagraph (B), the Administrator may not, in any year, increase the amount of any covered cost by an amount that is more than 9 percent, as compared with the amount of the covered cost during the previous year, except where the increase in the covered cost relates to an exception under paragraph (1)(C)(iii) of such section 1308(e).

(B) DECREASE OF AMOUNT OF DEDUCTIBLE OR INCREASE IN AMOUNT OF COVERAGE.—In the case of a policyholder described in section 1308(e)(1)(C)(ii) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)(1)(C)(ii)), the Administrator shall establish a process by which the Administrator determines an increase in covered costs for the policyholder that is—

(i) proportional to the relative change in risk based on the action taken by the policyholder; and

(ii) in compliance with subparagraph (A).

(2) NEW RATING SYSTEMS.—

(A) CLASSIFICATION.—With respect to a property, the limitation under paragraph (1) shall remain in effect for each year until the covered costs with respect to the property reflect full actuarial rates, without regard to whether, at any time until the year in which those covered costs reflect full actuarial rates, the property is rated or classified under the Risk Rating 2.0 methodology (or any substantially similar methodology).

(B) NEW POLICYHOLDER.—If a property to which the limitation under paragraph (1) ap-

plies is sold before the covered costs for the property reflect full actuarial rates determined under the Risk Rating 2.0 methodology (or any substantially similar methodology), that limitation shall remain in effect for each year until the year in which those full actuarial rates takes effect.

(c) RULE OF CONSTRUCTION.—Nothing in subsection (b) may be construed as prohibiting the Administrator from reducing, in any year, the amount of any covered cost, as compared with the amount of the covered cost during the previous year.

(d) AVERAGE HISTORICAL LOSS YEAR.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended by striking subsection (h) and inserting the following:

“(h) RULE OF CONSTRUCTION.—For purposes of this section, the calculation of an ‘average historical loss year’ shall be computed in accordance with generally accepted actuarial principles.”

(e) DISCLOSURE WITH RESPECT TO THE AFFORDABILITY STANDARD.—Section 1308(j) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(j)) is amended, in the second sentence, by inserting “and shall include in the report the number of those exceptions as of the date on which the Administrator submits the report and the location of each policyholder insured under those exceptions, organized by county and State” after “of the Senate”.

SEC. ____ . MEANS TESTED AFFORDABILITY VOUCHER.

(a) IN GENERAL.—Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) is amended by adding at the end the following:

“SEC. 1326. AFFORDABILITY ASSISTANCE.

“(a) AFFORDABILITY ASSISTANCE FUND.—

“(1) ESTABLISHMENT.—The Administrator shall establish in the Treasury of the United States an Affordability Assistance Fund (referred to in this section as the ‘Fund’), which shall be—

“(A) an account separate from any other accounts or funds available to the Administrator; and

“(B) available without fiscal year limitation.

“(2) USE OF FUNDS.—Amounts from the Fund shall be available to provide financial assistance under subsection (b).

“(b) FINANCIAL ASSISTANCE.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘adjusted gross income’ has the meaning given the term in section 62 of the Internal Revenue Code of 1986;

“(B) the term ‘eligible household’ means a household for which—

“(i) housing expenses exceed 30 percent of the adjusted gross income of the household in a year; and

“(ii) (I) the total assets owned by the household are in an amount that is not greater than 220 percent of the median household income for the State in which the household is located; or

“(II) with respect to a household that has a total household income that is not greater than 120 percent of the area median income for the area in which the household is located, the amount of premiums, surcharges, and fees for a flood insurance policy provided under this title in a year for the household exceeds 1 percent of the coverage limit of that policy under section 1306(b); and

“(C) the term ‘housing expenses’ means, with respect to a household, the total amount that the household spends in a year on—

“(i) mortgage payments;

“(ii) property taxes;

“(iii) homeowners insurance; and

“(iv) premiums for flood insurance under the national flood insurance program.